

## INFORMATION DISCLOSURE STATEMENT

Applicant : Haselbeck, et al.  
App. No. : 10/032,393  
Filed : December 21, 2001  
For : BACTERIAL PROMOTERS AND  
METHODS OF USE  
Examiner : Nancy T. Vogel  
Group Art Unit : 1636

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing thirty-two (32) references that are also enclosed.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(c)(2) before the mailing date of a final action and before the mailing of a Notice of Allowance. This Statement is accompanied by the fees set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410.

12/07/2004 SSITHIB1 00000162 10032393

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Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Nov. 23, 2004

By: 

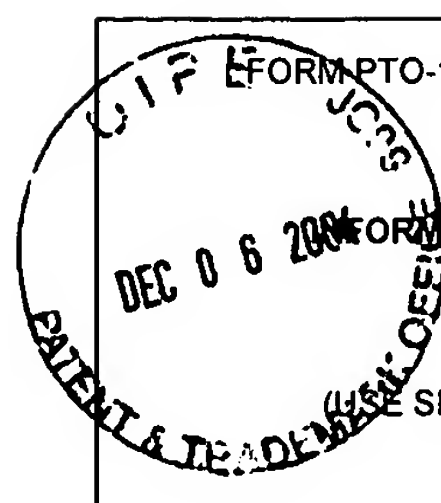
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	FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. ELITRA.010A	APPLICATION NO. 10/032,393
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT		
	APPLICANT Haselbeck, et al.		FILING DATE December 21, 2001

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
	1	Brurberg, et al. 1994. Expression of a chitinase gene from <i>Serratia marcescens</i> in <i>Lactococcus lactis</i> and <i>Lactobacillus plantarum</i> , <i>Appl. Microbiol. Biotechnol.</i> , 42:108-115.
	2	Goeddel, et al. 1979. Direct expression in <i>Escherichia coli</i> of a DNA sequence coding for a human growth hormone. <i>Nature</i> , 281:544-548.
	3	Goeddel, et al. 1980. Synthesis of human fibroblast interferon by <i>E. coli</i> . <i>Nucleic Acids Research</i> , 8(18):4057-4074.
	4	Good, et al. 1997. Expression of small, therapeutic RNAs in human cell nuclei. <i>Gene Therapy</i> , 4:45-54.
	5	Green, et al. 1990. <i>In vitro</i> genetic analysis of the <i>Tetrahymena</i> self-splicing intron. <i>Nature</i> , 347:406-408.
	6	Henner, D. J. 1990. Expression of heterologous genes in <i>Bacillus subtilis</i> . <i>Methods in Enzymology</i> , 185:199-201.
	7	Hillen, et al. 1983. Nucleotide sequence of the Tn10 encoded tetracycline resistance gene. <i>Nucleic Acids Research</i> , 11(2):525-539.
	8	Itakura, et al. 1977. Expression in <i>Escherichia coli</i> of a chemically synthesized gene for the hormone somatostatin. <i>Science</i> , 198:1056-1063.
	9	Jarmer, et al. 2001. Sigma A recognition sites in the <i>Bacillus subtilis</i> genome. <i>Microbiology</i> , 147:2417-2424.
	10	Kreuzer, et al. Identification and sequence analysis of the <i>Bacillus subtilis</i> W23 <i>xylR</i> gene and <i>xyl</i> operator. <i>Journal of Bacteriology</i> , 171(7):3840-3845.
	11	Lam, K. S. 1997. Application of combinatorial library methods in cancer research and drug discovery. <i>Anti-Cancer Drug Design</i> , 12:145-167.
	12	Leanna, et al. 1996. The reverse two-hybrid system: A genetic scheme for selection against specific protein/protein interactions. <i>Nucleic Acids Research</i> , 24(17):3341-3347.
	13	Lee, J. C. 1995. "Electrotransformation of Staphylococci." In Nickoloff, J. A. (Ed.). <i>Methods in Molecular Biology</i> , Vol. 47, pp. 209-216. Totowa, NJ: Humana Press Inc.

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. ELITRA.010A	APPLICATION NO. 10/032,393
	APPLICANT Haselbeck, et al.	
	FILING DATE December 21, 2001	GROUP 1636

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
	14 Marcinek, et al. 1998. <i>Enterococcus faecalis</i> gene transfer under natural conditions in municipal sewage water treatment plants. <i>Applied and Environmental Microbiology</i> , 64(2):626-632.
	15 Mathis, G. 1995. Probing molecular interactions with homogeneous techniques based on rare earth cryptates and fluorescence energy transfer. <i>Clinical Chemistry</i> , 41(9):1391-1397.
	16 NCBI Accession No. X65314, date of last revision July 16, 1999.
	17 Nilsson, et al. 1994. A conserved sequence in tRNA and rRNA promoters of <i>Lactococcus lactis</i> . <i>Biochimica et Biophysica Acta</i> , 1219:141-144.
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	20 Postle, et al. 1984. Nucleotide sequence of the repressor gene of the TN10 tetracycline resistance determinant. <i>Nucleic Acids Research</i> , 12(12):4849-4863.
	21 Rommens, et al. 1983. Gene expression: Chemical synthesis and molecular cloning of a bacteriophage T5 (T5P25) early promoter. <i>Nucleic Acids Research</i> , 11(17):5921-5940.
	22 Sizemore, et al. 1991. Organization, promoter analysis and transcriptional regulation of the <i>Staphylococcus xylosus</i> xylose utilization operon. <i>Mol. Gen. Genet.</i> , 227:377-384.
	23 Stüber, et al. 1981. Organization of transcriptional signals in plasmids pBR322 and pACYC184. <i>Proc. Natl. Acad. Sci. USA</i> , 78(1):167-171.
	24 Tovar, et al. 1988. Identification and nucleotide sequence of the class E <i>tet</i> regulatory elements and operator and inducer binding of the encoded purified Tet repressor. <i>Mol. Gen. Genet.</i> , 215:76-80.
	25 Tuerk, et al. 1990. Systematic evolution of ligands by exponential enrichment: RNA ligands to bacteriophage T4 DNA polymerase. <i>Research Articles</i> , 249:505-510.
	26 Unger, et al. 1984. Nucleotide sequence of the gene, protein purification and characterization of the pSC101-encoded tetracycline resistance-gene-repressor. <i>Gene</i> , 31:103-108.
	27 Unger, et al. 1984. Nucleotide sequence of the repressor gene of the RA1 tetracycline resistance determinant: Structural and functional comparison with three related Tet repressor genes. <i>Nucleic Acids Research</i> , 12(20):7693-7703.
	28 Vaitukaitis, et al. 1971. A method for producing specific antisera with small doses of immunogen. <i>J. Clin. Endocr.</i> , 33:988-991.
	29 Waters, et al. 1983. The tetracycline resistance determinants of RP1 and Tn1721: Nucleotide sequence analysis. <i>Nucleic Acids Research</i> , 11(17):6089-6105.
	30 West, et al. 1980. Construction and characterization of <i>E. coli</i> promoter-probe plasmid vectors. II. RNA polymerase binding studies on antibiotic-resistance promoters. <i>Gene</i> , 9:175-193.
	31 Young, K. H. 1998. Yeast two-hybrid: So many interactions, (in) so little time. . . . <i>Biology of Reproduction</i> , 58:302-311.
	32 Written Opinion from co-pending PCT/US01/50250 dated March 10, 2004.

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